

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FIDELITY NATIONAL)
INSURANCE COMPANY,)
Plaintiff,)
vs.) Case No. 4:09CV01136AGF
THE ROBBINS GROUP AND SONS, LLC,)
Defendant.)

ORDER

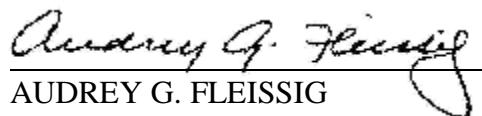
This matter is before the Court on Plaintiff's motion for leave to file an expert designation out of time. [Doc. #23]. Plaintiff does not state the type of expert testimony the witness would provide or explain the need for said testimony. Nor does Plaintiff state whether it has discussed the motion with Defendant and attempted to obtain consent. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's counsel shall immediately contact defense counsel and attempt to obtain agreement to the motion.

IT IS FURTHER ORDERED that on or before **Wednesday, June 2, 2010**, Plaintiff shall file a supplemental memorandum advising the Court of the area of the expert's proposed testimony, and the need for said testimony, and further state whether opposing counsel agrees with the motion. Absent agreement to the motion, Defendant shall file its opposition on or before

Friday, June 4, 2010.

Dated this 1st day of June, 2010.


AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE